IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE G. BHAVANI
PRASAD

TAKEN UP WRIT PETITION NO.1297 OF 2007

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Dated : February 7, 2007

Between:

Gudavali Swaroopa Rani

Petitioner

AND

The Station House Officer,
Duggirala Police Station,
Duggirala, Guntur District and others
and others

Respondents

THE HON'BLE MR. JUSTICE D.S.R.VARMA
AND
THE HON'BLE MR. JUSTICE G. BHAVANI
PRASAD

TAKEN UP WRIT PETITION NO.1297 OF 2007

ORAL ORDER: **(per the Hon'ble Sri Justice D.S.R.Varma)**

Heard the learned Government Pleader for

Home, representing the learned Advocate General, appearing for the respondents.

2. This writ petition is taken up on the basis of a telegram, dated 18.01.2007, by one Gudavali Swaroopa Rani, W/o. Gudavali Sombabu, Lecturer, to the Hon'ble the Chief Justice, High Court of Andhra Pradesh, Hyderabad, alleging that her husband was detained by the Inspector of Police, Tenali Rural Police Station, Guntur District, from 09.01.2007; that the said Inspector is trying to implicate her husband in Crime No.150 of 2006 of Duggirala Police Station; that she apprehends danger to her husband and requested this Court to set him at liberty forthwith.

3. In response to the notice, issued by this Court, the Inspector of Police, Tenali Rural Police Station, Guntur District, filed counter-affidavit stating, *inter alia*, that the petitioner's husband, by name Gudavalli Sombabu, was never taken into illegal custody much less on 09.01.2007, as alleged in the telegram and that at no point of time he tried to implicate the alleged detenue as an accused in the said crime. It is further stated that, on 09.01.2007, a notice under Section 160 Cr.P.C., was given to the alleged detenue, for the purpose of interrogation and, during the course of interrogation, the involvement of the alleged detenue, in the above said crime, could not be made out. In support of the said statement, the relevant C.D., entry and the statement of the alleged detenue are also filed, and the same made part of the record. It is also stated that, on

09.01.2007, after examining the alleged detenue, he was let off by the police on the same day itself. However, it is further stated that, the investigation revealed that one Vuyyuru Srinivas Reddy is involved in the said crime and, subsequently, he was arrested and produced before the II Additional Munsif Magistrate, Tenali, who remanded him to judicial custody.

4. Another important aspect, as borne out by the record, is that the petitioner had also addressed a letter, at another point of time, on 24.01.2007, bringing the said facts to the notice of the Chairman, Human Rights Commission, Government of Andhra Pradesh, Hyderabad, with a request to drop further proceedings.

5. Having regard to the revelations in the counter- affidavit, we do not find any merit in the writ petition, the same fails and is liable to be dismissed.

6. Accordingly, the writ petition is dismissed, at the stage of admission. However, there shall be no order as to costs.

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D.S.R.Varma, J.

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G.Bhavani Prasad, J.

07TH FEBRUARY 2007

MAS/KRK